

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK CAPLE,

Petitioner,

v.

ERIC P. BUSH, et al.,

Respondents.

CIVIL ACTION
NO. 17-3989

ORDER

AND NOW, this 31st day of August 2018, upon consideration of Frank Caple's Petition for Writ of Habeas Corpus (Doc. No. 1), Caple's Amendment to the Petition for Writ of Habeas Corpus (Doc. No. 7), Caple's Memorandum of Issue and Authority (Doc. No. 8), Respondents' Response in Opposition (Doc. No. 9), Magistrate Judge Jacob P. Hart's Report and Recommendation (Doc. No. 11), Frank Caple's Reply to the Report and Recommendation (Doc. No. 12), Frank Caple's Motions of Notice to the Court (Doc. Nos. 14, 15, 18), the pertinent state court record (Doc. No. 17), and in accordance with the Opinion issued on this day, it is **ORDERED** that:

1. This case is **RECOMMITTED** to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(C) for reconsideration consistent with the Opinion of this Court issued on this day.

2. The Clerk of Court shall place this case in **SUSPENSE** pending a supplemental or new Report and Recommendation by Magistrate Judge Hart, pursuant to this Court's Opinion issued on this day.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.